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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,598	11/25/2003	Kevin W. Kile	P-7176.2	8672
30553	7590	07/13/2005	EXAMINER	
GUNN, LEE & HANOR 700 N. ST. MARY'S STREET SUITE 1500 SAN ANTONIO, TX 78205			BUGG, GEORGE A	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/723,598

Applicant(s)

KILE ET AL.

Examiner

George A. Bugg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 14-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>05/10/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 9 is objected to because of the following informalities: Claim 9 recites two steps, which are both referred to as a "second" step. See lines 12 and 14 of page 22. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US Patent Application Publication No. 2202/0067273 A1 to Jaques et al.
4. As for claims 1 and 9, Section 36 discloses a pressure pad, shown in Figures 1 and 4 as Element 11, positioned under a patient, for sensing a lack of pressure, or in the absence of a patient's weight. As further disclosed in Section 39, and shown in Figure 2, the sensor pad 11 is connected to an interface system 17, and a remote station alarm 20. Section 41 teaches that the remote station alarm 20 may be a nurse's station. As for the power source, Section 38 teaches that the interface system 17,

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which is housed in unit 13, and the sensor pad 11, are connected by electrical conductors 30 and 65, as shown in Figure 1. Sections 36 and 37 further teach that there is a microprocessor within housing 13, that receives a loss of weight signal when pressure on the pad removed, i.e. a patient gets out of bed. In addition, Section 48 teaches that a voice message instructing the patient to remain in bed may be played, and/or an alarm may be transmitted to a caretaker who can attend to the patient. Section 44, teaches that if cord 60, which is attached to both the system and the patient, is removed from its connection to housing 13, then the system housed in Element 13 of Figure 3, will send a signal, or alarm, to warn of a possible dangerous situation. This alarm constitutes a second warning signal. In addition alarm station 14, and the remote station alarm 20 may either or both receive an alarm condition, which could also constitute a first and second warning signal. Lastly, Section 45 teaches that the alarms may be audible, visual, or both. Inherently, this combination of alarms would not interfere with one another, if for example the first warning signal were an audible siren, and the second warning signal was a flashing light, the two would function independently of one another. Furthermore, Figure 6 shows that the system can be used with a Nurses Call Module shown as Element 96.

5. As for claims 2, 10, 12, and 13, Section 38 teaches that the sensor pad is one in which resistance is lowered when pressure or weight is placed on the pad. Inherently, if pressure or weight is removed from the pad the resistance will increase, which in turn increases the voltages, since the two are directly proportional according to Ohms Law. Therefore a warning signal is generated when a predetermined voltage level is not

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maintained, and thus voltage regulation is being performed in conjunction with resistance regulation.

6. As for claim 3, Section 41 teaches the use of lamps being powered by the microprocessor.

7. With regard to claims 4 and 11, Section 51 teaches adjusting various inputs to the microprocessor.

8. As for claim 5, Figure 6 shows an input from the Nurses Call 96.

9. As for claims 6 and 7, Section 38 teaches that the sensor pad is one in which resistance is lowered when pressure or weight is placed on the pad. Inherently, if pressure or weight is removed from the pad the resistance will increase. Essentially, a resistance is being shorted when pressure is placed on the sensor pad. In addition, Section 37 states that the microprocessor of the interface is enabled when pressure is placed on the pad.

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over US

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12. As for claim 8, while Jaques does not specifically teach the use of a capacitor, as recited in claim 8, bypass capacitors are well known in the art for filtering AC components and noise, and would have been obvious to one of ordinary skill in the art for the purpose of controlling voltage fluctuations.

### ***Allowable Subject Matter***

13. Claims 14-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George A. Bugg whose telephone number is (571) 272-2998. The examiner can normally be reached on Monday-Thursday 9:00-6:30, and every other Friday.

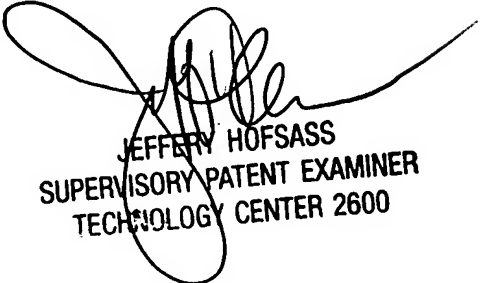
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

George A Bugg  
Examiner  
Art Unit 2636

July 6, 2005



JEFFERY HOFSSASS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600